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**Declaration under Rule 4.17:**

— of inventorship (Rule 4.17(iv)) for US only

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*For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.*

(54) Title: PREPARATION BASED ON AN ANTIBODY DIRECTED AGAINST A TUMOR-ASSOCIATED GLYCOSYLATION SUCH AS LEWIS STRUCTURES

(57) Abstract: The invention relates to the use of a preparation based on -an antibody directed against a tumor-associated glycosylation for preparing a medicament for the prophylactic and/or therapeutic treatment for the reduction or inhibition, respectively, of the growth of tumor cells in a cancer patient, as well as to a pharmaceutical preparation containing an antibody directed against a tumor-associated glycosylation. Moreover, the invention relates to a preparation for pharmaceutical and/or diagnostic use, a diagnostic method and an agent for determining the risk of metastasis formation in a cancer patient, as well as a method of producing a preparation based on a body fluid or tissue, in each case using the antibody directed against a tumor-associated glycosylation.

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# INTERNATIONAL SEARCH REPORT

International Application No.

PCT/EP 03/06912

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C07K16/28 C07K16/30 A61K39/395 A61P35/00

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07K A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EP0-Internal, WPI Data, PAJ, BIOSIS, MEDLINE

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 528 767 A (SANDOZ AG ;SANDOZ LTD (CH); SANDOZ AG (DE)) 24 February 1993 (1993-02-24) page 1, line 1 - line 26; claims 1-17	1-4, 8-10, 12-21
X	DETTKE M ET AL: "Different types of FCgamma-receptors are involved in anti-Lewis Y antibody induced effector functions in vitro" BRITISH JOURNAL OF CANCER, vol. 82, no. 2, January 2000 (2000-01), pages 441-445, XP001172841 ISSN: 0007-0920 page 441, left-hand column, line 1 -right-hand column, line 17	1-4,8-10
Y	---	5-7, 11-14
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☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

### \* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*&\* document member of the same patent family

Date of the actual completion of the international search

10 November 2003

Date of mailing of the international search report

16/12/2003

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## INTERNATIONAL SEARCH REPORT

International Publication No

PCT/EP 03/06912

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	<p>BASU A ET AL: "Presence of tumor-associated antigens in epidermal growth factor receptors from different human carcinomas."  CANCER RESEARCH. UNITED STATES 15 MAY 1987,  vol. 47, no. 10, 15 May 1987 (1987-05-15),  pages 2531-2536, XP008024280  ISSN: 0008-5472  cited in the application  page 2531, left-hand column</p>	5-7, 11-14
X	<p>GOOI H C ET AL: "Monoclonal antibody (EGR/G49) reactive with the epidermal growth factor receptor of A431 cells recognizes the blood group ALeb and ALey structures."  MOLECULAR IMMUNOLOGY. ENGLAND JUN 1985,  vol. 22, no. 6, June 1985 (1985-06), pages  689-693, XP008024281  ISSN: 0161-5890  page 689, left-hand column -right-hand column</p>	22-24
X	<p>BRICH Z ET AL: "PREPARATION AND CHARACTERIZATION OF A WATER SOLUBLE DEXTRAN IMMUNOCONJUGATE OF DOXORUBICIN AND THE MONOCLONAL ANTIBODY (ABL 364)"  JOURNAL OF CONTROLLED RELEASE, ELSEVIER  SCIENCE PUBLISHERS B.V. AMSTERDAM, NL,  vol. 19, no. 1 / 3,  1 March 1992 (1992-03-01), pages 245-257,  XP000261548  ISSN: 0168-3659  abstract  page 245, left-hand column -page 246,  left-hand column  page 246, right-hand column, line 39 -page  247, left-hand column, line 4</p>	1,2
A	<p>WO 01 00245 A (GENENTECH INC)  4 January 2001 (2001-01-04)  examples 1-13</p>	1-24
P,X	<p>WO 02 092771 A (BURGESS ANTHONY WILKS  ;SCOTT ANDREW MARK (AU); PANOUSIS CON  (AU);) 21 November 2002 (2002-11-21)  page 2, line 1 -page 6, line 2  page 11; claims 1-64</p>	1-24

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# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/EP 03/06912

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:  
  
Although claim 22 is directed to a diagnostic method practised on the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP 03/06912

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